



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Steve Tate, Mayor Pro Tempore
Larry Carr, Council Member
Mark Grzan, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Steve Tate, Vice-Chair
Larry Carr, Agency Member
Mark Grzan, Agency Member
Greg Sellers, Agency Member

WEDNESDAY, OCTOBER 5, 2005

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL AND REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:00 P.M.

A Special Meeting of the City Council and Redevelopment Agency is Called at 6:00 P.M. for the Purpose of Conducting Closed Sessions, and a Special Redevelopment Agency meeting is Called at 7:00 p.m. to Conduct Redevelopment Agency Business.

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

6:00 P.M.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 3

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Government Code Section 54956.9(a)
Case Name: General Lighting Service, Inc. v. Wells Construction Group, et al.
[Consolidated Actions]
Case Number: Santa Clara County Superior Court, Lead Case No. 1-04-CV-025561

3.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code 54956.8
Property: 17440 Monterey Road, APN: 726-14-028
Negotiating Parties: City Manager, Director of Business Assistance & Housing Services,
City Attorney
Closed Session Topic/Under Negotiation: Price and Terms of Payment

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATION

Teachers Aid Coalition
Roger Beaulieu and Ray Jimenez

RECOGNITION

Pacific Gas & Electric's 100th Anniversary
Teresa Alvarado, PG&E Company Representative

CITY COUNCIL REPORT

Mayor Pro Tempore Tate

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT IT TO THE CITY CLERK.

(See notice attached to the end of this agenda.)

PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL/REDEVELOPMENT AGENCY.

City Council Action

CONSENT CALENDAR:

ITEMS 1-10 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

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Consent Calendar: 1 - 10 Minutes

1. **REJECTION OF BID FOR THE BUTTERFIELD WELL PUMP STATION PROJECT** 1
Recommended Action(s):
1. **Reject** the Bid Received on September 28, 2005 for the Construction of the Butterfield Well Pump Station; and
2. **Authorize** Staff to Re-bid the Project.
2. **POLICY RECOMMENDATIONS FROM THE UTILITIES AND ENVIRONMENT SUBCOMMITTEE ON LEGISLATION** 3
Recommended Action(s): Take No Action on Proposition 80 and the Video Choice Act of 2005.
3. **AWARD CONTRACT FOR MICROFICHE CONVERSION SERVICES** 13
Recommended Action(s): Award Contract for the Conversion of all Microfiche Archives to Electronic Images to Convert-A-Doc in the Amount of \$56,324.45, Subject to Review and Approval by City Attorney.
4. **APPROVE PURCHASE ORDER FOR EQUIPMENT FOR THE NEW POLICE FACILITY** 21
Recommended Action(s): Authorize the City Manager to Approve a Purchase Order in the Amount of \$6,000 to Verizon Telephone Company for the Additional Cost of the Installation of Upgraded Phone Equipment and the Transference of Equipment from the Old Police Facility to the New Police Facility.

Time Estimate

Consent Calendar: 1 - 10 Minutes

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5. **APPROVAL OF LABOR CONTRACT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 101** 23
Recommended Action(s): Approve Three-Year Memorandum of Understanding with the American Federation of State, County and Municipal Employees (AFSCME) Local 101.
6. **APPROVAL OF LABOR CONTRACT WITH MORGAN HILL COMMUNITY SERVICE OFFICER ASSOCIATION (CSOA)** 27
Recommended Action(s): Approve Three-Year Memorandum of Understanding with the Morgan Hill Community Service Officer Association (CSOA).
7. **ORGANIZATION OF THE RECREATION AND COMMUNITY SERVICES DEPARTMENT** 31
Recommended Action(s):
1. **Authorize** the Position of “Director of Recreation and Community Services”; and
2. **Direct** the City Manager to Submit Recommendations on Any Other Changes that May be Appropriate Within 90 Days.
8. **CITY COUNCIL SPECIAL MEETING NOTES, SEPTEMBER 8, 2005** 35
Recommended Action(s): Receive, Information Only; No Action Required.
9. **APPROVE CITY COUNCIL SPECIAL MEETING MINUTES OF SEPTEMBER 21, 2005** 37
10. **APPROVE SPECIAL AND REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF SEPTEMBER 21, 2005** 41

City Council Action (Continued)

CONSENT CALENDAR:

ITEM 11

Time Estimate

Consent Calendar: 1 - 10 Minutes

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11. **EMERGENCY EXPENDITURE FOR STORM LINE REPAIR ON EAST CENTRAL AVENUE** 67
Recommended Action(s):
1. **Adopt** Resolution Declaring the Need for an Emergency Expenditure for Storm Line Repair on East Central Avenue; and
2. **Approve** Payment in the Amount of \$12,654 for the Emergency Work.

City Council Action

PUBLIC HEARINGS:

	<u>Time Estimate</u>		<u>Page</u>
12.	10 Minutes	<u>GENERAL PLAN AMENDMENT, GPA-05-03 AND PREZONING APPLICATION, ZA-05-10: CONDIT ROAD-KUBO</u> Public Hearing Opened. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Approve</u> Negative Declaration. Action- <u>Adopt</u> Resolution Approving General Plan Amendment. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance Pre-zoning area PUD. Action- <u>Motion to Introduce</u> Ordinance by Title Only. (Roll Call Vote)	71
13.	30 Minutes	<u>GENERAL PLAN AMENDMENT APPLICATION, GPA-04-09/ ZONING AMENDMENT, ZA-05-01: MONTEREY-ALCINI; AND GENERAL PLAN AMENDMENT GPA-04-10: E. DUNNE-BASANTY</u> Public Hearing Opened on GPA-04-09: Alcini and GPA-04-10: Basanty. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Approve</u> the Mitigated Negative Declaration. Action- <u>Adopt</u> Resolution Approving the General Plan Amendment for Alcini. Action- <u>Adopt</u> Resolution Approving General Plan Amendment for Basanty. Public Hearing Opened on ZA-05-01: Monterey-Alcini. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Motion to Waive</u> the Reading in Full of Ordinance Extending the CC/R Zoning District South of Dunne Avenue. Action- <u>Motion to Introduce</u> Ordinance by Title Only. (Roll Call Vote)	97
14.	5 Minutes	<u>APPLICATION GPA-05-01: AMENDMENT TO THE CIRCULATION ELEMENT FOR THE MADRONE PARKWAY EXTENSION</u> Public Hearing Opened. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Take No Action</u> , Thereby Keeping the Madrone Parkway Extension in the Circulation Element of the General Plan.	123

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
15.	15 Minutes	<u>POTENTIAL MORATORIUM ON CELL TOWER SITING</u>	171
		<u>Recommended Action(s):</u> <u>Consider</u> Recommendation from the Utilities and Environment Subcommittee.	
16.	15 Minutes	<u>LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS</u>	177
		<u>Recommended Action(s):</u> <u>Provide Direction</u> to Morgan Hill's League of California Cities Voting Delegate Regarding League Resolutions.	

City Council and Redevelopment Agency Action

OTHER BUSINESS:

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17.	10 Minutes	<u>MAYOR, COUNCIL MEMBER, AND REDEVELOPMENT AGENCY BOARD MEMBER COMPENSATION</u>	223
		<u>Recommended Action(s):</u> <u>Discuss</u> Compensation Options for Mayor, City Council Members, and RDA Board Members.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT